



## GOVERNOR BROWN: PUT OUT THE FIRE TAX

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*[Publisher's Note: As part of an ongoing effort to bring original, thoughtful commentary to you here at the FlashReport, I am pleased to present this column from Board of Equalization Member Michelle Steel. - Flash]*

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Today, I sent a letter to Governor Brown urging him to stop implementation of AB 1x 29, the new “fire prevention fee.”

There are so many problems with this new “fee” that it’s hard to know where to begin.

The fee appears to violate proposition 26, which states that any fee that “benefits the public broadly” is in fact a tax and must be passed by a two-thirds vote. A simple majority passed this fee, but it’s hard to argue that a fee that pays for statewide fire prevention doesn’t benefit the public broadly. As a tax on structures in rural areas, this fee may also violate proposition 13.

Worse, the stated purpose of the fee is to backfill CAL FIRE funds that were cut in the budget. But the revenues from the fee can’t replace those funds. Because of the cuts, CAL FIRE is required to cut 25 percent of its engine crews, and it will be more difficult to purchase new equipment and fight fires as we approach peak fire season.

The legislature cut CAL FIRE’s General Fund budget by \$50 million for this year and \$200 million for next year and beyond, and also cut \$34 million that would have paid for a fourth firefighter on each fire crew. But this fee can only go to “fire prevention activities,” and fire prevention activities don’t include firefighting.

Instead, this fee will pay for grants to conservation groups to teach rural homeowners about defensible space (clearing brush around their properties) and for CAL FIRE representatives to inspect rural homes and ensure that the brush is cleared.

The law doesn’t even take into account that many rural homeowners already pay

additional taxes to fund these services, and that defensible space is required by law.

The money that was cut from CAL FIRE's budget would have helped to protect state homes and wild lands in case of fire, but it was taken out of the budget to be used for other government programs.

Governor Brown has said that he is looking for a legislative fix for these problems. But while he looks, the Board of Forestry and Fire Protection (Fire Board) is spending time and money to craft regulations that will implement the current bill, and the Board of Equalization is scrambling to prepare to assess this fee on rural homeowners.

We should not be wasting time and money arguing over how to implement an illegal fee while our state's firefighters are being shorted funds heading into peak fire season. I urge Governor Brown to stop the Fire Board from implementing these regulations until the legislature puts out this fire tax.